

MINUTES
REGULAR MEETING
CITY COUNCIL

March 7, 2016

Ronnie Thompson, Mayor

Sally W. Sandy, City Manager
Louis E. Vinay, Jr., City Attorney

John H. Cantrell)
Forrest A. Fleming) Councilmen
Sidney Simmons)
Vacant Seat)

Becky Brinkley, Interpreter

I. The meeting was called to order in the Council Chamber at City Hall at 6:00 p.m. by Mayor Thompson.

II. Public Comment – The Mayor stated the guidelines for public comment and speakers were called in order of sign-up.

- Dale Brittain resides at 103 Case Street. Brittain spoke in favor of John Henry to fill the vacant council seat.

- Richard Garrison resides at 105 Kimberley Drive. Garrison spoke about an accident report from May 25, 2012 with which he disagrees.

III. Business of the Council – There being no further speakers, the Mayor recessed the meeting at 6:07.

The Mayor reconvened the meeting at 6:15 p.m.

IV. Pledge of Allegiance – Councilman Fleming led the recitation of the Pledge of Allegiance to the Flag.

V. Invocation – The invocation was given by the Rev. Daniel Gutierrez of Iglesia de Dios Nueva Vida / New Life Church of God.

VI. Introduction of Council – The Mayor introduced the Council and staff.

VII. Retiree Resolution – The Mayor asked the City Manager to say a few words about retiring Major Billy Bradshaw. The City Manager stated that Billy is a fine man. Having worked with Billy when she was Finance Director as well as Manager she knows him to be as true a person as one could ever find, he does everything with the right attitude and, she stated, he has been a pleasure to work with.

The Mayor then read the resolution recognizing retiring employee Billy R. Bradshaw. Billy retired from the City of Morganton on March 1, 2016 with 28

years, ten months' service. Billy retired from the Public Safety Department as a Major – Support Services.

Upon motion by Councilman Cantrell, seconded by Councilman Simmons, and carried unanimously, the Council approved Resolution #16-06 recognizing retiring employee Billy R. Bradshaw.

Councilman Fleming stated it was his honor and pleasure to present the resolution to Major Bradshaw. Councilman Fleming shared memories of his long-time friendship with Major Bradshaw including serving together in the NC National Guard.

Chief Rector stated he had known Major Bradshaw since he, himself, began as an officer. Rector stated one could not find a finer person to know and he is glad to know Billy as a friend as well as a colleague.

Retired Major Bradshaw stated his thanks for having the opportunity to serve the City of Morganton and its citizens.

a. Consideration of Award of Service Weapon and Fire Services Helmet

Historically, the City has followed the North Carolina General Statutes and awarded a retiring member with their service weapon along with their fire services helmet. This has been done by the Council declaring the particular items as surplus and then allowing someone to purchase the weapon for the officer for a fee of one dollar.

Retired Major Billy R. Bradshaw has complied with the North Carolina General Statutes in regard to obtaining a valid gun permit for the weapon. City staff recommended that his weapon Glock Model 23, Gen 4, semi-automatic pistol, serial #XPH028, and fire services helmet, Paul Conway brand American Classic, serial #LH00073672, be declared surplus, sold for one dollar, and presented to retired Major Bradshaw.

Upon motion by Councilman Simmons, seconded by Councilman Cantrell, and unanimously carried, the Council declared as surplus Glock Model 23, Gen 4, semi-automatic pistol, serial #XPH028, and a Paul Conway brand American Classic, serial #LH00073672, fire services helmet which was bought by Councilman Fleming for one dollar and was presented to retired Major Billy R. Bradshaw.

VIII. Presentation of Service Pins – The Personnel Committee and City staff have decided to recognize long-term employees for years of service at a Council meeting. The Mayor reported service pins are to be presented to the following employees:

- Philip Whisnant, Water Resources, D/C Water System Operator, 20 years. Phillip was unable to attend the meeting. His supervisor will present his pin at a later time.

- Randy Chester, Electric Department, Underground Crew Supervisor, 25 years. Councilman Cantrell presented Randy with his pin and thanked him for his service.
- Ronnie Gibbs, Public Safety, Senior Public Safety Officer, 25 years. Ronnie was unable to attend the meeting. His supervisor will present his pin at a later time.

IX. Public Advocacy Issues and Strategies

a. The Mayor announced the following upcoming events: CoMMA: Vanities on March 18. The Community House to host the 22nd Annual ACC Chili Cook-off on March 11.

b. The Mayor reminded voters about the March 15 election which included the Connect NC Bond Referendum.

c. The City Manager announced the upcoming City Council Workshop to be held on March 15, 2016 beginning at 8:30 a.m. in the Council Chamber at City Hall.

- The Mayor asked the City Manager to talk about the changes at the intersection of Bouchelle and Avery. The City Manager stated the new island in question is on Avery Avenue which is a State street and the State approved the plan to make the intersection more pedestrian friendly. She stated the intersection has always been one-lane of traffic but it was a wide lane so drivers treated it as two-lanes of traffic. She stated that DOT will be installing a signal at the intersection in the Spring which will help slow traffic and make the intersection easier to navigate.

- The Mayor announced the State-wide tornado drill for March 9 at 9:30 a.m.

- The Mayor announced a prescribed burn for the Grandfather District at Roses Mountain on March 8-10.

- The Mayor announced that Human Relations Commission Citizen of the Year nominations were being sought for Adult and Student Citizen of the Year.

- The City Manager stated there would be a workshop held to discuss the results of the CoMPAS cable consultant's report. The workshop has yet to be scheduled. City Council has several dates to consider.

- The Mayor announced that Red, White & Bluegrass Festival early-bird tickets are now on sale through CoMMA.

- The City Manager updated the Council regarding electrical outages that took place during the recent wind-storms. She stated the longest duration of outages was three hours. She stated that during that storm 30 trees fell at Catawba Meadows which has kept crews busy with clean-up.

X. North Carolina Municipal Power Agency Number 1 Update – The City Manager stated there was nothing to report.

XI. Consideration of Filling District 4 Council Vacancy – At Council's direction, an advertisement was placed in the News Herald on Wednesday, December 2, 2015, calling for individuals with an interest in filling the District 4 Council vacancy to complete an application and return it to the office of the City Clerk by the end of the business day on December 15, 2015. Four applications were received, those being from Wendy Cato, John Henry, Artie McKesson-Logan and Steven Smith. The Mayor and all Council members received copies of those applications on December 16, 2015 for perusal.

At the December 7, 2015 Council Meeting, it was announced an appointment would be made at the January 2016 Council Meeting. At the January 4, 2016 meeting the Council first adopted a procedure to follow in selecting the person to fill the vacancy. The procedure included vote by ballots (which immediately became public). After three rounds of voting no one candidate received at least three votes and voting was suspended until the February 1, 2016 meeting. The two highest vote getters were Wendy Cato and John Henry who have moved forward in the balloting process.

The Council voted again at the February 1, 2016 meeting between Wendy Cato and John Henry which resulted in a split vote. The Mayor suspended further voting until the March 7 Council meeting.

At this meeting the Council voted, casting ballots for either Wendy Cato or John Henry. Each member marked a separate ballot which were read by the Assistant City Clerk.

The vote was Wendy Cato – 2 votes (Cantrell, Fleming); and John Henry – 2 votes (Thompson, Simmons).

The Mayor suspended voting after one ballot stating they would continue to talk about it.

The Mayor asked the City Attorney about his research into a "special election" which the Council asked him to look into at the February meeting. The Attorney stated there is nothing in the law or provision in the charter that allows for a special election for the purpose of filling a vacant council seat.

XII. Consent Agenda –The City Manager presented the consent agenda and asked if any items should be removed from the Consent Agenda. No request was made.

Upon motion by Councilman Fleming, seconded by Councilman Cantrell, and unanimously carried, the consent agenda was approved and each individual item adopted as stated, these being as follows:

- A. Approved the following sets of minutes: for a Regular Meeting held on February 1, 2016 and a Special Meeting and Closed Session both held on February 11, 2016.
- B. Approved tax releases in the amount of \$173.05.
- C. Approved Resolution #16-07 verifying that the Morganton Department of Public Safety is an agency of the City of Morganton per request of ISO auditors.
- D. Approved an Urban Archery Season for 2016-2017 in accordance with the regulations established by the North Carolina Wildlife Resources Commission and to authorize the City to submit a Letter of Intent to participate in the season.
- E. Approved annual minor revisions and updates to the Standard Specifications necessary to keep them current, applicable and, furthermore, in compliance with the various enforcement agencies.
- F. Approved a budget amendment (Ord. #16-04) in the amount of \$261,000 to re-appropriate Powell Bill funds to be used for paving at the intersection of Avery Avenue and Bouchelle Street and city-wide street resurfacing.
- G. Awarded a contract for a 2017 Mack Tandem Dump Truck with brine system to Ken White, TranSource Truck and Trailer Centers, of Hickory for a net capital outlay of \$126,677.85.
- H. Approved Resolution #16-08 for the Adoption of the Western Piedmont Bicycle Plan and implement strategies as listed in the plan.

XIII. Items Removed from Consent Agenda – There were no items removed from the Consent Agenda.

XIV. New Business

1. Consideration of Entering Into an Audit Contract with Elliott Davis Decosimo – The City Manager stated that Elliott Davis Decosimo has submitted an updated proposal offering a three-year contract at year 1 cost \$36,500; year 2 cost \$37,000 and year 3 cost \$37,500. The Finance Committee recommended accepting this offer.

Tom McNeish, Government Chair and Shareholder, of Elliott Davis Decosimo was present to share information via a slide-presentation and answer any questions the Council might have.

Upon motion by Councilman Cantrell, seconded by Councilman Simmons, and carried unanimously, the Council awarded an audit contract to Elliott Davis Decosmio for three years at a cost of year 1 cost \$36,500; year 2 cost \$37,000 and year 3 cost \$37,500.

2. Consideration of an Agreement with Burke Arts Council Regarding Etta Baker Sculpture for CoMMA – This item was postponed and expected to be placed on the April agenda.

3. Consideration of Renaming of Mountain View Street – Due to numerous complaints by the residents on the current Mountain View Street in Morganton about misdirected emergency response, postal deliveries, FedEx and UPS deliveries, and GPS directions to their street name counterpart in Drexel, the City hosted a meeting of the residents to get their input on renaming their street to alleviate the above-mentioned issues. Street name redundancies among the municipalities in the 28655 postal zip code and address range overlaps such as exist between the two Mountain View Streets have existed for years. The problem has become more pronounced with Burke County going to a centralized 911 Center to dispatch emergency response. Representatives from the various municipalities in Burke County, as well as County officials, 911 staff and USPS officials including the local postmaster have met on several occasions over the last few years to go over the numerous conflicts and formulate a solution. Originally, the representatives had endeavored to alleviate the problem through the readdressing of streets or the renaming of streets. The option used varied on a case by case basis and the best option was primarily determined by which option created the least inconvenience to the residents along that street or road. Only 5 residences bear a street address on Mountain View Street, and all 5 occupants have suggested that “Steeple Heights Lane” would be a suitable name. Consequently, at this time, with consent of the owners along the affected City street, namely Mountain View Street, this City street will be renamed.

The presently-named Mountain View Street will be changed to Steeple Heights Lane.

As stated above, this street is a City Street and it will be listed among the Powell Bill streets for the City. With Council approval, the name change will be noted with the next Powell Bill revision.

Upon motion by Councilman Simmons, seconded by Councilman Cantrell, and carried unanimously, the Council approved the renaming of Mountain View Street to Steeple Heights Lane.

4. Consideration of an Authorizing Resolution Supporting the Application of Certified Local Government (CLG) Funds on Behalf of Historic Burke Foundation (Quaker Meadows House) – The City Manager stated that the Historic Burke Foundation has an opportunity for a Historic Preservation Grant to assist with a new roof at the McDowell House at Quaker Meadows. The grant will be in the amount of \$10,000 or less.

The process requires a Certified Local Government to serve as a pass-through agent for the grant and Historic Burke has requested the City consider serving as the CLG pass-through agent. The City involvement will be limited to

disbursement of funds, financial accounting, grant execution, and requisition of grant funds.

The City has acted in this capacity in the past, most recently for the Western Piedmont Community College silo barn project.

Upon motion by Councilman Fleming, seconded by Councilman Simmons, and carried unanimously, the Council approved acting as the Certified Local Government agency for the grant from the North Carolina State Historic Preservation Office for the roof project at the McDowell House at Quaker Meadows.

5. Consideration of Boards and Commissions – Historic Preservation Commission.

The City Manager stated there are two vacancies exist on the Historic Preservation Commission. There are two applicants, David A. Stevenson and Tyler Franklin Sain, who would like to be considered to fill this vacancy. The terms for these appointments would expire on November 8, 2017.

The Mayor appointed David A. Stevenson and Tyler Franklin Sain to the Historic Preservation Commission to fulfill terms to expire on November 8, 2017.

XV. Other Items from City Manager and City Council Not on Agenda – There were no other items presented.

XVI. Reports – Reports were distributed for information.

XVII. Adjournment – The meeting was adjourned at 6:57 p.m.

Preparation of Minutes. These minutes were prepared by Mikela D. Russell, Assistant City Clerk. Copies of all resolutions, ordinances and orders referenced in these minutes are intended to be incorporated into these minutes as if fully set forth herein. Prior to including them into the official minute book, the minutes have been read and approved by the City Manager and the City Attorney, then distributed to each member of the City Council for further review and final approval, at a subsequent Council Meeting.

Mayor

Assistant City Clerk